

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) A navigation apparatus, comprising:

position detecting means for detecting a current position of an automotive vehicle;

destination setting means for setting a destination of said automotive vehicle;

travel route setting means for setting a travel route to said destination set by said destination setting means on the basis of said current position detected by said position detecting means;

operation mode setting means for setting whether or not to utilize an electronic toll collection system on ~~a toll road of~~ said travel route set by said travel route setting means; and

communication means for performing communication with an in-vehicle apparatus provided in said automotive vehicle as part of said electronic toll collection system, said communication means being operative to transmit a signal to said in-vehicle apparatus to change an operation mode of said in-vehicle apparatus to said electronic toll collection system.

- 2.-6. (Cancelled).

7. (Original) A navigation apparatus as set forth in claim 1, in which

said operation mode setting means includes toll road extracting means for extracting a toll road from the travel route set by the travel route setting unit, and toll road setting means for setting in each toll road extracted by said toll road extracting means whether or not an electronic toll collection system is utilized.

8. (Cancelled).

9. (Currently Amended) A navigation apparatus, comprising:

position detecting means for detecting a current position of an automotive vehicle;

operation mode setting means for setting whether or not an electronic toll collection system is utilized on ~~a toll road of said a~~ travel route set by said travel route setting means; and

communication means for performing communication with an in-vehicle apparatus provided in said automotive vehicle as part of said electronic toll collection system, said communication means being operative to transmit a signal to said in-vehicle apparatus to change an operation mode of said in-vehicle apparatus to said electronic toll collection system.

10.-11. (Cancelled).

12. (Original) A navigation system, comprising:

a navigation apparatus as set forth in claim 1; and

an in-vehicle apparatus provided in said automotive vehicle as part of said electronic toll collection system, and adapted to perform communication with said communication means of said navigation apparatus.

13.-15. (Cancelled).

16. (Original) A navigation system, comprising:

a navigation apparatus as set forth in claim 9; and

an in-vehicle apparatus provided in said automotive vehicle as part of said electronic toll collection system to perform communication with said communication means of said navigation apparatus.

17. (Cancelled).

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18. (New) A navigation apparatus as set forth in claim 1, in which said communication means is operative to produce an active state setting signal as said signal to be transmitted to said in-vehicle apparatus, and to allow said in-vehicle apparatus to perform communication with a roadside antenna located as part of said electronic toll collection system at a toll station on said travel route.

19. (New) A navigation apparatus as set forth in claim 1, in which said communication means is operative to produce an inactive state setting signal as said signal to be transmitted to said in-vehicle apparatus, and to prevent said in-vehicle apparatus from performing communication with a roadside antenna located as part of said electronic toll collection system at a toll station on said travel route.